

Our Thanks To Governor Campbell

The "recently created grasping state fire insurance rate trust" was already gleefully rejoicing at the immediate collection, forcing local agents, compelling us to pay the over 100 per cent increased "Legalized Robbery" new rates, but, thanks to Gov. Campbell's mandate, they, for the time being, CANNOT DO IT. Whether the restraining order will become permanent is to be seen. In the meantime our great success in reducing our big stock of the finest

Summer Clothing and Men's Furnishings in America

will continue and thus give the tardy buyer a chance to supply himself yet, at the same low prices as the many who have already bought, namely at

Ten Per Cent **10%** Ten Per Cent
ABOVE ACTUAL COST PRICE

No successful business house has ever dared to RETAIL HIGH GRADE MERCHANDISE AT THIS SMALL PROFIT.

The Best Zephyr weight Summer suits made. Priestley's Imported English Cravenetted Mohairs, sold everywhere at \$15, \$18, \$20, \$25 & \$30

at only \$11.25 and up

Furnishings, Hats, Underwear, etc., all contribute in this forced stock reduction sale.

UNION CLOTHING CO.

INCORPORATED
"BEST BY TEST"

HAWKINS RAPS GOVERNOR AND THE GOVERNOR RAPS BACK, SO THERE!

(Continued From Page One.)

ten prior to a determination of the question before the board that the resolution goes much further than that, and recites that a number of citizens have requested that the companies do not attempt to enforce the collection of the new specific rates promulgated, either upon policies heretofore written or upon those hereafter written, until after a decision has been reached upon the matters pending before said board, and that in the opinion of the board the request of the citizens of the state affected by the proposed change in rates is responsible and should be respected. Now, if the statute is to be suspended as to all these matters in the cities enumerated it is to be presumed that the same request and practice will apply throughout the state; so the fair effect of the resolution is to request the companies to ignore and violate throughout the state all provisions of the law upon which the things complained of are based, although the practical result would be an actual raise of rates on many mercantile establishments and on perhaps 90 percent of the residences upon which insurance policies may be taken out meanwhile.

Mistaken Contention.

"This whole trouble grows out of your mistaken contention that rates are not legal rates until approved by the board, from which premise you argue that suspension of such rates and of regulations of the general basis schedules fixing times of collecting of premiums is legal. Your whole contention is thus based upon a false premise; hence, your conclusion is erroneous. My contention is that the general basis schedules and rates worked out under them are from date of filing of such schedules on January 1, 1910, legal and binding, until changed according to law, and cannot mean while be legally suspended, and that such suspension is prohibited by our constitution.

"Your further contention is that it is my duty to carry out the spirit of said resolution because it was adopted by the board upon the advice of the attorney general and under the direction of the governor in carrying out one of his policies.

"As to the board it has no jurisdiction of the subject matter, as above stated. It certainly has no authority under the statute to suspend an general basis schedule or key rate or specific rates or the time of payment thereof, and its request that the companies suspend them is of no legal effect whatever.

"The attorney general stated to the board that he had not exhaustively studied the law upon the points involved and had no final opinion thereon, but that he would prepare a resolution embodying the governor's ideas in a form in which he, the attorney general, advised the board to adopt; but that even if the requested procedure by the companies would constitute an infraction of the law, he, the attorney general, would nevertheless advise the board to adopt the resolution because he considered it expedient under existing conditions affecting the insurance business in this state, and he cannot consistently hold it legal. To do so would forever blast his reputation as a lawyer.

"Thus in the last analysis, we find that the governor is primarily responsible for the resolution presenting a plan which an attorney general of his own appointment declined to definitely or in writing approve as legal, and which in fact called upon the companies to violate the law and involved a substantially expressed intention on the part of the governor to suspend the statute, in derogation of an imperative mandate of the constitution to the contrary.

The El Paso Case.
"On the day previous to that on which said resolution was adopted I had gone over with you carefully the questions involved in the complaint from El Paso and had fully explained to you my views of the law and the plans of the board relative to regulations of rates and the difficulties under which it had been operating, and on the day of and just prior to the adoption of said resolution and in response to an invitation from you, to again express my premises and my judgment as to the law as to form of said resolution I pointed out to you and to the attorney general and to said board the following facts:

"1. That the rates and times of payment fixed by the companies in their general basis schedules, whether reasonable or not, are binding under the law until changed according to law.

"2. That no order of the board regulating rates can relate backward, but must apply to the future only.

"3. That an order of that sort would be retroactive and therefore unconstitutional, and that in many instances such rates, which were legal when made, having been fixed pursuant to law, had been carried into written contracts under which risks had been assumed and carried any premiums earned and that any order of the board which

might undertake to impair the obligation of such contracts, or of vested rights thereunder, would unquestionably be obnoxious to the constitution of Texas and to the constitution of the United States, and therefore void; and that it was beyond the power of the legislature itself or of any board, court or other tribunal, even under the tentative approval of the attorney general or the direction of the governor, to in any wise affect or change the present status of past transactions of that character.

"3. That the statute fixes heavy penalties for failure of any company or its agent to apply its general basis schedules as to either rate or time of collection or both, including fine or imprisonment, or both, and revocation by the commissioner of the company's certificate of authority to do business in Texas.

"It is true that such revocation is within the discretion of the commissioner, but that is merely to relieve against unintentional violations due to clerical or other like errors, the evident purpose of the legislature being that deliberate violations of the law shall be punished by such revocation.

"I would rather see the board of a cannon head-foremost in two seconds than to hesitate that long in observing my oath of office and making good my pledge to the people. Not even at the request nor yet at the dictation of the governor who appointed me commissioner, will I so stultify myself.

"4. That the board had already set June 1, 1910, for a public hearing at Austin to consider whether existing fire insurance rates in Texas are reasonable or unreasonable and had given to each fire insurance company doing business in Texas statutory notice of such hearing, and had, through the chairman of the board called upon commercial and industrial organizations and municipalities and the people generally to send representatives with data and information which might serve as a basis for the action of the board and the regulation of rates.

"And, inasmuch as the board unfortunately has no authority under the law to send for books and papers, the commissioner, in the exercise of independent powers vested in him by another statute, had called upon each such company to file with him on or before June 1, 1910, a sworn schedule showing in dollars and cents for each of the first five months in 1909 and 1910, respectively, the amount of its business and the rates thereon in each of the seventy towns and cities which had been specifically rated up to June 1, 1910.

"5. That the board had been assiduously collecting information from other sources and in studying the rates, question, and hope to be able to make, shortly after such hearing, all such orders, if any, as may be necessary to thereafter enforce the law, and have no enjoyment of reasonable rates.

"6. That if, as contended by the governor, with the tentative approval of the attorney general, it would be better for the state to take that course rather than for the statutory procedure to be interrupted to any extent, or for the action of the board in the premises to be discounted and hampered.

"7. That under the constitution the opinions of the attorney general are merely advisory; that they are respected by me, and that I follow them upon questions of law which I consider doubtful, but that where I have carefully studied a statute and have no possible doubt as to its meaning or legal effect I consider it my duty to enforce the statute as I understand it, pending its final decision by the courts.

"I believe that by remaining in office I can best serve my state and vindicate my own official actions, particularly in that matter in which I have so unfortunately been so long in official displeasure and, so believing, I respectfully decline to tender my resignation."

Statement by Governor.
The governor's statement follows:

"Of course, I have no idea of engaging in any letter or newspaper controversy with my appointee, Mr. Hawkins. A committee from El Paso appealed to the fire rating board for relief in an emergency, which meant much to that city and to some other cities now protesting against the fire insurance rates, which they represent to be exorbitant. After consulting with the two members of the board, it was agreed that the fire insurance companies be authorized and requested not to collect from the insuring public the difference between the old rates and the proposed new rates, until the board could have the opportunity to adjust the rates upon a reasonable basis at the hearing which had already been fixed for June 21.

"Upon my request the attorney general came before the board and his opinion with reference to the legality of the proposed procedure for the relief of El Paso and other cities was sought. He advised that the plan proposed and finally adopted was clearly within the

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Saturday, fine large Cantaloupes, 4 for.....25c
Extra fine large Peaches, per basket.....35c
Fine Texas Peaches (full basket) only.....25c
Fine Texas Tomatoes, per basket.....40c
California Apricots, per basket.....50c
California Cherries, extra nice, per lb.....20c
Strawberries, Raspberries, Blackberries and-Logan

Berries, 2 for.....25c
(All shipped in refrigerator boxes and arriving in fine shape)

Large Watermelons (the very best) per lb.....3c
Bell Peppers, per lb.....20c
Okra (young and tender) per lb.....15c
Valley Squash, very best, 2 lbs. for.....15c
String Beans (valley grown) per lb.....12½c
Beets, young and tender, 3 bunches for.....10c
Turnips, young and tender, 3 bunches for.....10c
California Head Lettuce, 2 for.....15c
Young Radishes and Green Onions, 2 bunches for.....5c
Fine large Pie Plant, 2 lbs. for.....15c
New Potatoes (large and firm) 12 lbs. for.....25c
Oranges (sweet and juicy) per doz. 20c, 25c, 30c and 40c
Lemons, large size and best quality, per doz.....20c
Small Lemons (good and juicy) 2 dozen for.....25c
Large fine Bananas, per doz.....25c
Ripe Olives, per quart.....45c
Ripe Olives, per pint.....25c
Heinze's Sweet Pickles, per doz.....10c
Heinze's Sweet Mixed Pickles, per pint.....15c
Heinze's Sour Pickles (medium size) per doz.....10c
Post Toasties, Dr. Price's Food or Kellogg's Corn Flakes, 3 pkgs. for.....25c
Shredded Wheat, 2 pkgs. for.....25c
Grape-Nuts, 2 pkgs. for.....25c

EXTRA SPECIALS

5 gallons best quality Gasoline only.....95c
5 gallons Eupion Oil, only.....80c
4 large rolls Toilet Paper for.....25c
12 lbs. new Potatoes for.....25c
3 lbs. Blue Ribbon Butter for.....\$1.00
Strictly fresh Kansas Eggs, per doz.....25c
Mountain Park Eggs, fresh every day, per doz.....40c

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purview of the fire rating board's powers under the law, whereupon the board requested the attorney general to prepare a resolution meeting the necessities of the case, which he did, and the resolution was adopted and given to the press for information of the public and of the fire insurance companies.

"The members of the board waived request for the written opinion of the attorney general after he drew the resolution embodying the board's action.

"In the exercise of a discretion, commissioner Hawkins saw proper to threaten fire insurance companies and agents with a cancellation of their permits to do business in Texas if they complied with this request of fire rating board, which, as before stated, was not only approved by the board and the governor, but actually drawn up by the attorney general.

Situation Intolerable.
"This presented an intolerable situation, and after mature deliberation I requested the commissioner, Hawkins, to tender his resignation, to the end that this law be administered according to its spirit and intent and that it be applied in the interests of the people and not in a way to oppress them.

"Primarily, I am responsible for an efficient administration of the department of insurance and banking, and feeling that responsibility as I do, I felt called upon to take the action I did. I consider this incident closed, and I do not propose to discuss it further, but, in the meantime, every power properly belonging to the office of governor will be employed in an effort to protect the insuring public and at the same time to deal justly with the fire insurance companies doing business in Texas."

Best musical act of the season at the Happy Hour tonight.

Dr. Jerome Triolo has been appointed community surgeon at the Lavinia de Ormense at El Paso, Chihuahua, and will leave Thursday to begin his duties there. Dr. Triolo recently graduated at the Tulane Medical college at New Orleans.

Mrs. Fred Eicke and little daughter, Edith, left for New York, and from there will sail for Europe. They expect to be gone till October.

THE COLLINS WIRELESS SYSTEM. A free lecture and public demonstration will be given this evening at the chamber of commerce. Ladies cordially invited.

See the big musical act at the Happy Hour tonight. It's great.

Posener's
HEADQUARTERS
FOR
FINEST HAIR GOODS
AT IMPORT PRICES

C. T. Brown, a member of the commission which fixed the price of the land to be condemned for the Elephant Butte project, arrived Wednesday morning from New York, where he has been on business connected with a large mining deal in which he is interested.

Loose Leaf Specialties

Loose Leaf Memorandum Books in 9 sizes, two bindings.

Loose Leaf Price Books carried in all sizes and two styles of bindings.

Loose Leaf Stock Books easiest and best method of keeping a true stock record.

Large Ring Loose Leaf Ledgers.

Stock in Loose Leaf Supplies complete in all styles.

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CURES S. S. S. SKIN DISEASES

Lying just beneath the outer covering or tissue-skin, is a sensitive membranous flesh in which are imbedded thousands of small blood vessels. It is through these tiny veins and arteries that nutriment is supplied from the blood to the different pores, glands and lymphatics. Thus the skin is kept healthy, and free from all eruptions or disease, by pure blood. But when impurities and humors infect the circulation its nourishing properties are diminished and instead of supplying the skin with healthful properties it constantly irritates and diseases the delicate fibres, pores and glands with sharp uratic matter. Then the skin tissues inflame, swell and ulcerate and some form of skin disease appears on the surface. Applying soothing lotions, salves, etc., to the outer eruptions does not purify the blood and therefore the skin trouble can not be cured in this manner. S. S. S. cures all skin diseases by neutralizing the acids and removing the humors from the blood. It cools the acid-heated circulation, builds it up to its normal strength and thickness, multiplies its rich, nutritious corpuscles, and adds to its purity in every way. Then the skin, instead of being irritated and inflamed by sour impurities is nourished, soothed and softened by this cooling, healthy stream of blood. S. S. S. Cures Eczema, Acne, Tetter, Salt Rheum, Poison Oak, boils, pimples, rashes, etc. Book on Skin Diseases free to all who write.

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The best place in all California to spend your Summer vacation. Good general store and meat market. Delicacies; abundance of good fruits and vegetables. First-class cafe, restaurant and lunch counter.

Write at once for Booklet Giving Full Information.
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Or H. F. NORCROSS, 3248, Spring St. Los Angeles.

News Brevities

Train Bulletin.
All afternoon trains are reported on time.

Dr. Gray, Eye, Ear, Nose and Throat.
205 Caples Bldg., 2nd floor.

Fresh eggs from the Sunset Poultry Farm. All eggs from the famous Rhode Island Red chickens. Guaranteed not to be over 48 hours old. W. C. White, exclusive agent, corner Kansas and Franklin streets. Phones, Bell 185, Auto 1185.

Woman Released.
Cincinnati, O., June 15.—Dismissal of the charges of lunacy against Mrs. Jeannette Stewart Ford, "the woman in the case" of Charles L. Warriner, defaulting treasurer of the Big Four railroad, was entered in the probate court of Hamilton county Tuesday.

Jackson's Sanitary Grocery
Has some nice home boiled cold ham. Phone 353.

Kodakars
Gottlieb's studio develops films free.

Fresh eggs from the Sunset Poultry Farm. All eggs from the famous Rhode Island Red chickens. Guaranteed not to be over 48 hours old. W. C. White, exclusive agent, corner Kansas and Franklin streets. Phones, Bell 185, Auto 1185.

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EL PASO, TEXAS
BANKING FACILITIES AT YOUR SERVICE
The facilities of the American National Bank are at all times during banking hours at your service and you are cordially invited to make use of them. Your account subject to check is solicited. Pocket Check Books free to depositors.
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and Franklin streets. Phones, Bell 185, Auto 1185.

Jackson's Sanitary Grocery
Has the famous Sedgwick Creamery butter which tastes the sweetest in the hottest weather. Phone 353.

Dr. Gallagher, Trust Bldg., hours 9 to 11 a. m., 2:30 to 4:30 p. m.

Want Woman in Cabinet.

Denver, June 15.—A new department of the National government with a woman at its head is one of the propositions to be endorsed by the National Mothers' congress, now holding its 14th annual convention in this city. Resolutions are being prepared for a department of home and child, with a cabinet officer at its head, if possible, a woman.

Jackson's Sanitary Grocery.
Has some very fine apricots, a delicious fruit for hot weather. Phone 353.

Special, ladies' purses, shopping bags.
El Paso Trunk factory, north side plaza.

C. L. Billington, 709 Magoffin Tel. 1489, painting, paper hanging, decorating.

Jumps Into Niagara River.
Niagara Falls, N. Y., June 15.—During the first international exposition here Tuesday, an unidentified man leaped

into the river before the eyes of thousands and was swept over the brink of Luna falls. Oscar Williams, a stevedore, tried a trip across the gorge on a wire hanging by his teeth. His apparatus became jammed on the wire when he was about half way over and he hung 45 minutes 125 feet above the river until firemen slid a rope and pulled out to him, by which he descended to "The Maid of the Mist" below.

Dr. Cameron, reliable dentist, reasonable price.
Over Guarantee Shoe store.

Jackson's Sanitary Grocery,
Is where you get real Rockyford cantaloupes. Phone 353.

Notice to Republicans.
The state Republican executive committee desires to know the names of every Republican in El Paso county for the purpose of sending literature and conducting the coming campaign. Please send in your name and address to J. J. Ormsbee, secretary, at once.

U. S. Goes.
Chairman Co. Rep. Ex. Com.

Jackson's Sanitary Grocery,
Has the nicest green corn for roasting ears in town. Phone 353.

Bryan for Senator.

Lincoln, Neb., June 15.—A concerted movement looking to the entry of William J. Bryan in the Nebraska senatorial race, was begun when democratic leaders of the state prepared for the circulation of petitions in every county of the state, asking Mr. Bryan to enter the contest.

Jackson's Sanitary Grocery.
Has a delicatessen department that is full of good things for lunch. Phone 353.

The world loves Grell's Rose Leaf Pasteurized Butter. "The Butter that Batters the Bread." For sale only by W. C. White, corner Kansas and Franklin streets. Phone, Bell 185, Auto, 1185.

Jackson's Sanitary Grocery,
Has fresh strawberries, blackberries and Logan berries every morning. Phone 353.

Mrs. Emma Louise Pammie, and Miss Jeannette Ward, of Las Vegas, N. M., have arrived for a visit of several weeks with Miss Mary Frances Robertson, 1012 Montana street.

Mrs. James F. Sattley and Mrs. C. D. Thompson are down from Las Cruces shopping.

Capt. S. J. Woodhull, of Las Cruces, is here on business.